5174939/2021/VIG-III-PRR01

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Panchayat Raj and Rural Development Department – Disciplinary proceedings against Sri K. Chatarjee, former Junior Asst, ZPP, Kakinada, East Godavari District (now retired) for misappropriation of funds to a tune of Rs.14,04,995/- during the years 1995 to 1997 - Expired on 19-05-2021 - Further action - Abated - Reg.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-III) DEPARTMENT

G.O.Rt.No.596 **Date: 11/11/2021**

Read the following:

1. From Commissioner, PR&RD, Lr.No.13022/PR&RD/C2/2017, dt:08.02.2018.
2. From Commissioner, PR&RD, Lr.No.339524/CPR&RD/C2/2018, dt:12.08.2020.
3. From Commissioner, PR&RD, Lr.No.339524/CPR&RD/C2/2017, dt:27.08.2021.

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ORDER:-

In the references 1st and 2nd read above, it is brought to the notice of the Government that, disciplinary action was initiated against Sri K.Chatarjee, while he working as Junior Assistant, ZPP, Kakinada, East Godavari District and was placed under suspension by the Zilla Parishad Office, Kakinada and also filed a criminal case against him on the allegations of the misappropriation of funds to a tune of Rs.14,04,995/- during the period from 1995 to 1997 by tactfully increasing the figures in pay bills. Charges were framed against him by the Chief Executive Officer, ZPP, vide proceedings dt.30.08.1999. After conducting regular enquiry, the Chief Executive Officer, ZPP issued orders, dt.24.03.2000, dismissing the Charged Officer as all the charges were proved against him.

2. Aggrieved by the above dismissal orders, the Charged Officer has approached the Hon'ble Andhra Pradesh Administrative Tribunal by filing OA No. 1467 of 2000 and further approached the Hon'ble High Court. The Hon'ble High Court in their orders, dt.28.02.2005 has directed to conduct the fresh enquiry since the petitioner was not given any opportunity.

3. Accordingly, the Chief Executive Officer, ZPP., Kakinada has appointed the Deputy Chief Executive Officer, ZPP, Kakinada as Enquiry Officer to inquiry into the charges framed against the Charged Officer, Sri K. Chatarjee, Junior Assistant and the Enquiry Officer has submitted his report on 20.07.2017 stating that the two charges against the Charged Officer are proved. In the meantime, the Charged Officer Sri K. Chatarjee, Junior Assistant was retired from service on 31.12.2013 on attaining the age of superannuation at MPP, Y. Rayavaram, East Godavari District. The enquiry report was communicated to the Charged Officer and obtained his explanation and the Chief Executive Officer, ZPP, East Godavari district has further stated that this is a chronic case and it passed nearly 20 years that the issue was happened. The individual was also retired and is suffering with BP, Sugar and Financial Troubles. The Chief Executive Officer has therefore proposed to cut 10% in Pension for a period of (5) years upon the Charged Officer.

4. The Commissioner, Panchayat Raj & Rural Development proposed to cut 10% in pension for the life period along with recovery of the misappropriated amount together with compound interest @ 12% against the Charged Officer as a punishment and submitted this case to Government for taking further action on the retired officer.

(Contd.P-2)

5. After examination of the material submitted by the Commissioner, Panchayat Raj & Rural Development, A.P., Guntur, Tadepalli, Government have decided to impose a penalty of withholding 25% pension permanently on the Charged Officer, Sri K. Chatarjee, former Senior Assistant, ZPP, Kakinada (Now retired) under Rule 9 of A.P. Revised Pension Rules, 1980 along with recovery of entire misappropriated amount with compound interest @12% from the Charged Officer, in consultation with Advisory body on Vigilance Matters.

6. In the reference 3rd read above, the Commissioner, Panchayat Raj and Rural Development has stated that, the Chief Executive Officer, ZPP, East Godavari District had submitted that, show cause notice communicated with inquiry report was served to the Charged Officer i.e., Sri K.Chatarjee, former Senior Assistant, ZPP, Kakinada and retired Junior Assistant, MPP, Y.Ramavaram, East Godavari District and it was acknowledged by him on 26.11.2018. Further informed that, regarding status of the Charged Officer, he expired on 19.05.2021, while taking treatment in Sri Vishnu Multi Specialty Hospital and to this effect, the Registrar of Births and Deaths, Municipality, Pithapuram has given Death Certificate. He has enclosed the report of the Chief Executive Officer, ZPP, East Godavari for further necessary orders in the matter.

7. As per Rule 9 (7) of A.P. Revised Pension Rules, 1980 "When a Government servant dies before conclusion of the disciplinary proceedings, generally death abates all further proceedings. As such, when a Government servant dies before conclusion of the disciplinary proceedings, the proceedings under rule 9 of A.P. Revised Pension Rules, 1980 also abates. If any loss caused to the Government amount by the deceased Government servant established, in such cases, the disciplinary proceedings will not automatically abate and it is open to the Government to bring the legal representatives on record and conclude disciplinary proceedings for the purpose of recovery of the same.

8. After careful examination of the matter, Government hereby abate further action against the deceased officer, Sri K.Chatarjee, former Senior Assistant (Retd.), ZPP, Kakinada, East Godavari District, who was expired on 19.05.2021 before conclusion of disciplinary proceedings, subject to recovery of misappropriated amount of Rs. 14,04,995/- (Rupees Fourteen Lakhs Four Thousand Nine Hundred and Ninety-Five Only) with compound interest @12%, under sub-rule 7 (a) of Rule 9 of A.P. Revised Pension Rules, 1980.

9. The Commissioner, Panchayat Raj and Rural Development, Tadepalli, Guntur District shall take necessary action accordingly and submit recovery report to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri K.Chatarjee, former Sr. Asst. (Retd.), ZPP, Kakinada, East Godavari District (Legal Heir) through the Commissioner, Panchayat Raj & Rural Development A.P., Tadepalli, Guntur District.
The Commissioner, Panchayat Raj & Rural Development A.P., Tadepalli, Guntur District.

(Contd.P-3)

Copy to :
The Secretary, APVC, A.P. Secretariat, Velagapudi.
The PS to M(PR&RD, M&G).
The PS to Prl Secy to Govt., PR&RD.
Sf/Sc.

//FORWARED :: BY ORDER//

SECTION OFFICER